

JOHANNA FRANCIS

January 11th, 2020

The Honorable Joel H. Slomsky
Senior United States District Judge for the Eastern District of Pennsylvania
13614 U.S. Courthouse
Philadelphia, PA 19106

Re: James M. Francis Plaintiff vs Johanna ML Francis Defendant
United States District Court Eastern District of Pennsylvania
Civil Action No: 2:16-cv-04376-JHS

Dear Your Honor Judge Slomsky,

I am respectfully writing you to request additional time to formally respond to Mr. Karaplov's Motion to be dismissed as my counsel in the above referenced matter.

I also object to Mr. Karaplov's Motion to Withdraw as he has presented it to the Court. If Mr. Karapelou wishes to withdraw then I believe it would be appropriate for him to disgorge his fees in this and other matters so that I am not further prejudiced by his conduct. If my request is granted, I would also respectfully request a sufficient adjournment to identify and allow incoming counsel to be fully up to speed on the proceedings conducted to date, particularly since the trial is ongoing. Based upon the pandemic and the nature of this case and the monies I have paid to date, I would be extraordinarily prejudiced if his motion is granted without this relief. I otherwise object to the motion to be relieved and would ask this Court to direct Mr. Karaplov to vigorously represent me in this matter, consistent with his professional obligations.

I am in the process of writing a formal response that I intend to file so that Your Honor is aware of the circumstances that brought rise to Mr. Karaplov's Motion. I am also prepared to provide emails between myself and Mr. Karapelou in camera to substantiate my statement of facts and procedural history.

I would like to state for the record that at no point in time did I threaten Mr. Karapelou, nor would I. My request for him to disgorge himself of fees and statement that he needed to notify his carrier is based upon his actions in a case in New York where the Judge disqualified him after discovering he was conducting a trial without the right to be practicing in New York. As a result, and due to many errors by him, I have been extraordinarily prejudiced in that case.

The fact that he was unauthorized to conduct the trial nor qualified to represent me (after several years of doing so) was only flushed out by the Judge after I was forced to openly object when Mr. Karapelou attempted to rest my case without forewarning me of his intent to do so. Mr. Karapelou did this the day after he was advised (by my counsel in another matter) that he needed to make a proffer since he had placed little to no exhibits in evidence, and I was not being allowed to testify. In that case, on the first day of trial, Mr. Karapelou allowed a binder of exhibits to be submitted by the Plaintiff without review and without knowledge of their contents. After my review, I realized that the Exhibits that he allowed to be admitted were deliberately edited in order to mislead the court and I brought this and other issues to his attention.

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As a result of my immediate and open objection to his actions, the Judge looked him up and disqualified him. After consulting with several attorneys, I asked Mr. Karaelpou to disgorge his fees (as I believe is his obligation) and informed him to notify his carrier. I did so not to be malicious or meanspirited but, because he has put me in an impossible position in the middle of a pandemic.

After his conduct in the New York case, it has recently come to my attention that not only did he make various errors during the trial but, during the whole time he represented me. This includes, among other things failing to perfect an appeal. Please also note that, to date, I have not formally moved against Mr. Karapealu, nor do I honestly wish to. The last ten years of my life has been spent in litigation and all but, destroyed me and my small family. My participation in these proceedings is only based upon my being forced to defend the little that remains for my brother, son, and I. My request for him to disgorge, although unfortunate, I believe is proper and solely based upon his conduct and the precarious position I now find myself facing.

I am prepared and plan to appear tomorrow as ordered. However, I feel I am at a disadvantage since I have not had an opportunity to file a formal response for Your Honor's review and consideration and therefore must respectfully ask this Court for an adjournment and whatever other relief the Court deems equitable, honorable, and just.

Thank you for your time and attention in this matter.

Respectfully,

Johanna Francis